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May 13, 2014

VIA ECF

Hon. Sandra J. Feuerstein
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY

Re: *Cecil Thomas, et al. v. TXX Services, Inc. et al*
Civil Action No.: 13-cv-2789 (SJF)(WDW)

Dear Judge Feuerstein,

We represent the Plaintiffs, putative Collective Members, and putative Class Members in this matter.

On April 14, 2014, United States Magistrate Judge Wall issued a Report and Recommendation ("Report")(Dk. No. 106) denying Defendants' motion for judgment on the pleadings. On April 30, 2014, Defendants filed objections to Judge Wall's Report. On May 1, 2014, Plaintiffs wrote the Court stating that Defendants' objections were untimely as they were not filed within fourteen (14) days. In response, Defendants argued that their time to file objections to the Report was extended by virtue of the Court's ECF service of the Report. After reviewing the Defendants' letter and speaking with their Counsel, Plaintiffs agree that Defendants timely filed their objections.

Notwithstanding, as Defendants' objections are merely a rehash of the arguments they made in support of their motion to dismiss the complaint, Plaintiffs are not filing a response. Accordingly, notwithstanding the Defendants' objections, we respectfully submit that the Court

should adopt Magistrate Judge Wall's Report.

Respectfully submitted,

/s/ Douglas Weiner
Douglas Weiner

Cc: Jeffrey Pagano, Esq. VIA ECF